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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

12 IN RE: TOYOTA MOTOR CORP.
UNINTENDED ACCELERATION
13 MARKETING, SALES
PRACTICES, AND PRODUCTS
14 LIABILITY LITIGATION

15 This document relates to:
16 ALL CASES
17

CASE NO.: 8:10ML02151 JVS (FMOx)

**ORDER TO SHOW CAUSE WHY
CIVIL SANCTIONS SHOULD NOT
ISSUE AGAINST BETSY
BENJAMINSON**

Date: October 27, 2014:
Time: 3:00 p.m.
Courtroom: 10C

ORDER TO SHOW CAUSE

Before the Court is the Toyota Defendants' *Ex Parte* Application For An Order To Show Cause Why Civil Sanctions Should Not Issue Against Betsy Benjaminson (the "Application"). Having considered the papers, the Court GRANTS the Toyota Defendants' Application.

IT IS ORDERED that Betsy Benjaminson shall show cause, unless she waives the right to do so, before the Honorable James V. Selna of the United States District Court for the Central District of California, located in Courtroom 10C of the Ronald Regan Federal Building and United States Courthouse, 411 West Fourth Street, Room 1053, Santa Ana, California on October 27, 2014 at 3:00 p.m. why Ms. Benjaminson should not be held in civil contempt for her failure to comply with the Court's First Amended Protective Order entered January 19, 2011 (ECF No. 627).

Toyota shall make service upon Benjaminson of this Order to Show Cause and all supporting papers forthwith. Benjaminson shall file and serve any response to the Order to Show Cause on or before October 2, 2014. Toyota may file and serve a reply on or before October 16, 2014.

Should Benjaminson be found in contempt, the Court will consider appropriate remedies, including monetary sanctions. Such remedies will provide Benjaminson an opportunity to cure her contempt and avoid further sanction by complying with the First Amended Protective Order in the future by (1) ceasing and desisting from any further dissemination of Toyota's Confidential and Highly Confidential and privileged material; (2) returning and destroying all documents and electronically stored information in her possession, custody, or control that relate or refer to Toyota which she obtained from Linguistic Services, Inc., or Technovate, Inc., as well as such material obtained from anyone else who has worked on a Toyota-related litigation to the extent that information contains material protected by the Court's protective orders or by any other law or agreement; (3) allowing Toyota


1 to have a forensic mechanism to verify that all electronic copies of protected
2 materials on her computers or devices have been fully removed.

3 The Court further orders:

- 4 1. The Court will promptly appoint a member of the Criminal Justice Act
5 panel to represent Benjaminson. Counsel shall be bound by all protective
6 orders of this Court with respect to any material counsel receives, and shall
7 sign and file a written acknowledgement prior to receipt of any such
8 material.
- 9 2. Until the Court has resolved the Order to Show Cause, Benjaminson shall
10 preserve from alteration or destruction any and all documents,
11 electronically stored information, data, records, or files of any kind,
12 including metadata, that relate to the subpoena Toyota served on
13 Benjaminson, nor shall she publish or disseminate said material. The
14 Court adopts this measure to preserve the status quo and without prejudice
15 to any party's position on the Order to Show Cause.

16 IT IS SO ORDERED.

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18 DATED: September 02, 2014

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21 James V. Selna
United States District Court Judge

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23 Respectfully submitted,

24 DATED: August 27, 2014

**SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP**

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27 By: /s/ Lisa Gilford
Lisa Gilford
28 *Lead Defense Counsel for Economic Loss Cases*